

This form provided by

SHELBY COUNTY ABSTRACT & TITLE CO., INC.

P. O. Box 752 - Columbiana, Alabama 35051
(205) 669-6204 (205) 669-6291 Fax (205) 669-3130

SEND TAX NOTICE TO:

(Name) Dale New

(Address) 7125 Hwy 49
Columbiana, Ala 35051

This instrument was prepared by: **MIKE T. ATCHISON**
P. O. Box 822
Columbiana, AL 35051

Form 1-1-3 Rev. 4/99

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - Stewart Title Insurance Corp. of Houston, TX

STATE OF ALABAMA
Shelby

COUNTY

KNOW ALL MEN BY THESE PRESENTS.

That in consideration of Nine Thousand and no/100 DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Michelle McFadden, A married woman, individually and

Michelle McFadden, Conservator of the Estate of Violette Lorene Spence

(herein referred to as grantors) do grant, bargain, sell and convey unto

Dale Dewayne New and Esther Kate New

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

Shelby

County, Alabama to-wit:

See Exhibit "A" for Legal Description.

This property does not constitute the homestead of the Grantor nor her spouse.

This Deed is given in accordance with the final decree of June 20, 1994, in consolidated cases CV-89-621, CV-91-454, and CV-93-300 in the Circuit Court of Shelby County, Alabama.

Michelle McFadden is executing this deed in her individual capacity in order to specifically release said real property from the lien on all real property of the Estate of Iva Nora Arthur for expenses and fees awarded to her as Executrix of said Estate, and that real property be, and is hereby specifically released from and discharged from said lien.

The intent of this deed is to convey and terminate the Life Estate of Violette Lorene Spence whether correctly described or not.
Also conveyed herein are any easements, right -of-ways either for access or utilities owned by the Grantors herein.

Property sold "As Is". Purchasers to pay for all repairs.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in the simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantee herein shall take as tenants in common.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s), this 12th

day of November, 1999

WITNESS:

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

Shelby

COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State,

hereby certify that Michelle McFadden

whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me

on this day, that, being informed of the contents of the conveyance she executed the same voluntarily

on the day the same bears date.

Given under my hand and official seal this 12th day of November, A. D., 1999

My Commission Expires: 10/16/2000

Notary Public

Inst # 1999-46564

11/15/1999-46564

08:33 AM CERTIFIED

SHELBY COUNTY, ALABAMA

SEE #5 35.00

EXHIBIT "A"
LEGAL DESCRIPTION

All that part of the NW 1/4 of SW 1/4 of Section 7, Township 20 South, Range 1 East, lying South and West of Yellow Leaf Creek.

A 5-acre strip of land of uniform width across the West side of the SW 1/4 of SW 1/4 of Section 7, Township 20 South, Range 1 East; and that part of the SW 1/4 of SW 1/4 of Section 7, Township 20 South, Range 1 East, described as beginning at a corner stob near the wall at a point 165 feet East of the SW corner of said Section and run East to Yellow Leaf Creek; thence Northerly and Northeasterly down said Creek to where the mouth of a spring branch running in an Easterly direction enters said creek; thence run Westerly up said branch to the East line of the 5 acres above described; thence South to point of beginning.

All that part of the NW 1/4 of NW 1/4 of Section 18, Township 20 South, Range 1 East, which lies West of Yellow Leaf Creek and North of old road bed.

The SE 1/4 of SE 1/4 of Section 12, Township 20 South, Range 1 West, except that part conveyed in Deed Book 257, Page 023, in Probate Office.

The NE 1/4 of the NE 1/4 of Section 13, Township 20 South, Range 1 West, lying North of the old road bed, except that part conveyed in Deed Book 257, page 023, in Probate Office.

ALSO CONVEYED:

Are rights to waterline easement reserved in Instrument #1997-40591 in the Office of the Judge of Probate of Shelby County, Alabama.

ALSO CONVEYED:

EASEMENT NO. 1:

An easement 30-feet in width, lying 15 feet on either side of a centerline described as follows:
Commencing at the Northeast corner of Section 13, Township 20 South, Range 1 West; thence South 0 deg. 33 min. 43 sec. West, a distance of 239.94 feet; thence North 89 deg. 26 min. 17 sec. West, a distance of 1420.19 feet to the intersection of the North right of way line of Shelby County Road No. 49 and a dirt drive for the point of beginning; thence North 54 deg. 52 min. 23 sec. East, a distance of 46.03 feet; thence North 69 deg. 44 min. 28 sec., East, a distance of 40.42 feet; thence South 84 deg. 35 min. 27 sec. East, a distance of 137.50 feet; thence South 82 deg. 12 min. 48 sec. East, a distance of 64.30 feet; thence North 89 deg. 37 min. 21 sec. East, a distance of 16.25 feet; thence North 76 deg. 12 min. 08 sec. East, a distance of 50.45 feet; thence North 68 deg. 07 min. 26 sec. East, a distance of 108.97 feet to the point of ending.

EASEMENT NO. 2:

The North 15 feet of an easement 30-feet in width, lying 15 feet on either side of a centerline described as follows:
Commencing at the Northeast corner of Section 13, Township 20 South, Range 1 West; thence South 0 deg. 33 min. 43 sec. West, a distance of 134.42 feet; thence North 89 deg. 26 min. 17 sec. West, a distance of 952.24 feet to the point of beginning; thence North 72 deg. 13 min. 47 sec. East, a distance of 75.44 feet; thence North 77 deg. 26 min. 00 sec. East, a distance of 211.01 feet; thence North 71 deg. 59 min. 18 sec. East, a distance of 66.78 feet; thence North 68 deg. 05 min. 20 sec. East, a distance of 96.95 feet to the point of ending.

Inst # 1999-46564

11/15/1999-46564
08:33 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
J02 RMS 20.00